

PUBLIC ACCESS ROOM

A division of the Legislative Reference Bureau

NEWSLETTER

Hawaii State Capitol ♦ 415 South Beretania Street ♦ Room 401 ♦ Honolulu, Hawaii 96813

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Timetable****January**

19th Opening Day.
 21st Non-Administrative Bill
 Package Cutoff.
 24th State-of-the-State Address &
 Administrative Bill Package Cutoff.
 27th Last day for introduction of
 bills.
 31st Grants/Subsidies Cutoff.

February

18th First Lateral.
 21st Holiday - Presidents' Day.
 24th - March 2nd Mandatory 5-Day
 Recess.

March

4th First Decking - last day to file
 non-budget bills.
 10th First Crossover.
 16th Last day to introduce
 substantive resolutions.
 22nd Budget Decking.
 24th Budget Crossover/Second
 Lateral.
 25th Holiday - Kuhio Day &
 Good Friday.

April

8th Second Decking - last day to
 file bills in non-originating body.
 14th Second Crossover - last day to
 disagree.
 15th First Crossover for Concurrent
 Resolutions.
 22nd Deadline for final form of
 constitutional amendments.
 25th Second Crossover for
 Concurrent Resolutions.
 28th Last day to file non-fiscal bills
 to deck for Final Reading.
 29th Last day to file fiscal bills to
 deck for Final Reading.

May

5th Adjournment Sine Die.

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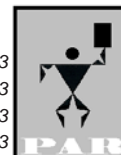
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**“It passed!...So, what happens now?”**

Your bill survived its trip through the legislature? Great. Now what?

If the bill is presented to the Governor before the last ten days of session (by April 18, 2005)...

The Governor can either sign the bill or allow it to become law without her signature simply by failing to veto it within ten days (excluding Saturdays, Sundays and recess days).



If she vetoes it, the bill can still become law, *if* it is reconsidered by the legislature before its adjournment, and is approved by two-thirds of all members of each chamber.

If the bill is presented to the Governor fewer than ten days prior to adjournment, or after adjournment, sine die...

It becomes law automatically on the 45th day after sine die (excluding Saturdays, Sundays and holidays), if it is neither signed into law or vetoed. This year, that date will be July 12th.

If the Governor intends to veto the bill, she must advise the legislature of her intent by the 35th day after adjournment (June 27th) with a statement of her objections. The Legislature then has until noon on the 45th day to convene a special session for the purpose of acting on the vetoed bill. If they fail to act, the veto will stand and the bill will not become law.

On the other hand, the Legislature can decide to change the bill to meet the Governor's objections, pass the new version in each chamber with one floor reading, then present the freshly-amended bill to the Governor for signature.

Or they could override the veto by approving the measure with two-thirds votes of all members of each chamber.

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This just in from our humor department: *"The best measure of a man's honesty isn't his income tax return. It's the zero adjust on his bathroom scale."* Arthur C. Clarke

If the governor likes your bill and just simply signs it...

It's a done deal except for publication. The new law will take effect on the "effective date" specified in the measure. (Look to the last section of the bill for the date the law becomes effective. It might say "...takes effect upon approval..." or "...becomes effective on July 1, 2005..." or other such similar wording.)

If your bill *does* become law, either by signature, lack of veto, or veto override, it will take effect on the intended date, and you can celebrate. Now it's over and the session laws and the cumulative supplements to the Revised Statutes are being updated. Now you can say, "we're done."

Then again, there are those other concerns, other unsolved issues, all that other work to be done...But that's another story!

"What happens with those resolutions that passed?"

Resolutions cannot become law, so they do not carry the weight of law. But they can do other useful things: They can transmit the will and intent of the legislature, establish task forces and working groups, request studies, etc. Since they cannot become law, when resolutions are adopted (either by both chambers if concurrent resolutions, or by single chambers if not), they are not presented to the Governor.

Instead, resolutions are transmitted to the specific individuals, officers, agencies, or other concerned parties mentioned in the specific resolutions. Unlike bills, resolutions do not carry over to the next session. If your reso doesn't pass this year, a new version, with new numbering, would need to be introduced next session.

If I Only Knew the Bill Number...

Searching for a bill/resolution number on the Legislature's web site

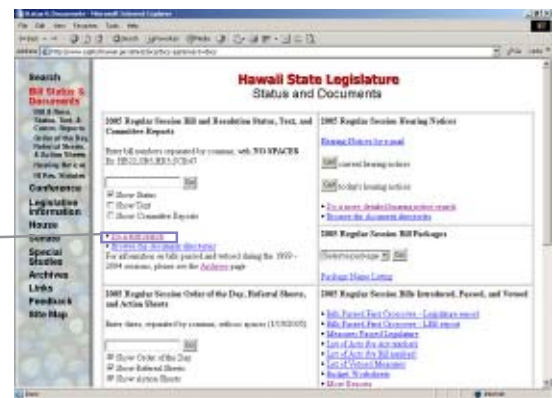
There have probably been many times during this session that you heard of a particular bill or resolution, either on the news or in conversation, and wanted to learn more about it but its number was never mentioned. The Public Access Room gets calls like this on a daily basis during the peak of session, so we'd like to share these tips:

There's a way you can search for a particular bill on the Legislature's web site. You can either 1) click on the **Search** link on the home page or 2) do a text search via the **Bill Status & Documents** page. Being that the **Bill Status & Documents** page is considered the "work horse" of the Legislature's web site, let's do a search from there. Here's how you do it:

Go to the Legislature's web site at www.capitol.hawaii.gov. Click on the **Bill Status & Docs** link.



As mentioned earlier, this page is considered the “work horse” of the web site because of the many features available when researching legislation. To do a search for a bill during the legislative session, click on the link conspicuously called “**Do a text search**”.



Before you enter in the text for your search, click on the **Help and examples on searching** link. This will help in narrowing down your search.

Once you’ve learned ways to narrow down your search, enter in keywords that you know will appear within the text of the bill/reso. Both **Search through Measure Text** and **Search through Committee Reports** are defaulted to be checked off.



Uncheck **Search through Committee Reports** if you just want to see a list of bills and resos. Click the Search button.

*Hint: If you know the bill you are looking for has passed out of a committee, having only the **Search through Committee Reports** checked off may narrow down your search greatly.*

Several citations may pop up; not all of them are different bill or resolution numbers. Some may have the same bill/reso number but only vary by having a House Draft (HD), Senate Draft (SD) or Conference Draft (CD) number. For example: at the time of this writing, a search for **tobacco and tax** gave 43 citations, but 4 of these were variations of SB1236.

Patience may be in order in searching through topics that are very common, so the use of additional keywords may help in narrowing your search. Using the above example, **tobacco and tax** gave 43 citations; **tobacco and tax and revenue** gives 34; **tobacco and tax and merchant** yields only 3.

Once you’ve found your bill/reso number, congratulate yourself on your being a super sleuth. If by the end of the 2005 session your bill has not passed out of the legislature, don't lose heart. Instead, remember that all bills not voted down or vetoed carry over to the 2006 legislative session and can potentially come back to life!

On this day in April:

7th Deadline to file second reading bills

11th Hawaii Public libraries make ACCESS (now the Legislature's web site) available and offer free fax service for legislative testimony, 1990 (15 years ago!)

14th Second crossover (bills)

15th First crossover (concurrent resolutions)

15th Deadline to file Federal income taxes

20th Deadline to file Hawaii State income taxes

22nd Deadline for final form of constitutional amendments

24th Library of Congress was established, 1800

25th Second crossover (concurrent resolutions)

28th Final decking (non-fiscal bills)

29th Final decking (fiscal bills)

Testimony Blackout Zone

What to do when a measure reaches conference committee

You've thought passionately about what needs to be changed, added or deleted from a state law. You convinced your legislator to introduce a bill reflecting your position. You provided testimony during standing committee hearings in both chambers. Your bill, one of thousands introduced, actually managed to survive all deadlines on the legislative calendar and has made it to conference committee. You attend a conference committee hearing, wanting to give your testimony...only to find that none is being accepted! You have now reached the "**TESTIMONY BLACKOUT ZONE**".

During conference committee hearings, which the public is always welcome to attend, no public testimony is accepted. As a result, some people think of this as a "blackout" period for public participation. Not so.

Why go to conference if I can't testify?

Having shown yourself to be greatly knowledgeable about the matter at hand (through meetings with lawmakers and your excellent, streamlined, highly factual, timely testimony), you may indeed find yourself called upon by Senators and Representatives at the conference committee being convened for your bill if they need additional clarification or information that is not readily at hand. Feel honored. They trust your information. Legislators read and vote on many hundreds of bills each session, and none of them ever claims to be an expert on all the items going through the legislature. That's your job - *to be* the expert, and to be an expert witness.

Talk with legislators

This "blackout" period might also be fruitfully spent meeting with your own legislators and those named to the conference committee, in particular the chair and co-chairs of the committee. This may be a difficult time to get a one-on-one meeting with a legislator, but it sure doesn't hurt to try. If the legislators are unavailable, make sure a clear statement of your opinion and concerns is left with staff members. Always include your contact information, in case the legislator wants to reach you.

If the solid information you provided convinces the conference committee and the legislature to concur with your position and pass your bill, a well deserved pat on the back will be in order! But...say session ends and your bill winds up not moving out of conference? Don't fret. Remember, this is the first half of the biennium, so your bill will carry over to the next legislative session, potentially giving a new conference committee the chance to iron out the differences, with your help. **Phew!**



Got an idea for the PAR Newsletter? Feel free to contact us with your suggestions - keeping in mind that we are a non-partisan newsletter. Mahalo for your input!